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LETTER DATED 28 MARCH 1996 FROM THE PERMANENT REPRESENTATIVE OF BOSNIA AND HERZEGOVINA ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I would like to take this opportunity to bring to your attention a request that my Government has made to the Prosecutor for the International Tribunal for the former Yugoslavia in The Hague, the Honourable Judge Richard Goldstone. We have requested that he forward to the Security Council a review of the cooperation that his office has received from Member States regarding the turning over of those individuals indicted by the Tribunal. I have enclosed our letter of request for your review and request that the Council consider this matter in its consultations on the situation in Bosnia and Herzegovina and the region.

May I ask for your kind assistance in circulating the present letter and its annex as a document of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador and
Permanent Representative

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Annex

Letter dated 28 March 1996 from the Permanent Representative of Bosnia and Herzegovina to the United Nations addressed to the Prosecutor for the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

We are all indeed appreciative of your efforts over the last two years to bring justice for the benefit of the victims and for all in the international community through the work of The Hague war crimes Tribunal. Although your efforts may not have realized all the objectives of bringing suspects to custody and before the Tribunal, none the less there has been a most positive impact upon justice and the peace process. I wish you the best in your new endeavours once you do complete the end of your term later this year.

Now, however, we ask you to complete one other critical element of your mandate. The Tribunal, in particular the Prosecutor's Office, needs to address to the Security Council an analysis of the cooperation it has received from Member States. This is particularly necessary with respect to the States and parties that reaffirmed their commitment to cooperate fully with the Tribunal under the terms of the Dayton/Paris Agreement.

The objectives of my request are simple: to make consistent the actions of the Security Council and other relevant international authorities with respect to the parties that are called upon to cooperate with the Tribunal. It appears that much still remains to be desired. Some of the signatories to the Dayton/Paris Agreement are harbouring on a regular basis suspects indicted and wanted by the Tribunal. As the Permanent Representative of Bosnia and Herzegovina, I am not entirely satisfied that all the parties within Bosnia and Herzegovina have cooperated with the Tribunal. All one has to note is the presence of Ratko Mladić, Radovan Karadžić and Milan Martić on the territory of Bosnia and Herzegovina, the latter being now subject to the highest-level extradition order of the Tribunal.

We would also welcome your proposals to address the problem. For our part, we will endeavour to cooperate fully with the Tribunal, even if sometime we may feel alone, quixotic and politically vulnerable. It would indeed be ironic if the only State or party cooperating in the extradition process were also the prime victim while the major instigators and executors remained free.

(Signed) Muhamed SACIRBEY
Ambassador and
Permanent Representative